

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

DARYL THOMASON TRUCKING, INC., et al.,)
)
)
Plaintiffs,)
)
)
v.) Case No. CIV-11-98-SPS
)
)
CATERPILLAR, INC., et al.,)
)
)
Defendants.)

**JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT**

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

IT IS ORDERED that the parties are directed to submit final closing papers within thirty (30) days from the date of this order.

Dated this 2nd day of February, 2012.



Steven P. Shreder
United States Magistrate Judge
Eastern District of Oklahoma